

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

State Building Code Appeals Board¹
Docket No. 05-323

| | |
|---------------------------------|---|
| Leonor Jimenez, |) |
| Appellant, |) |
| |) |
| v. |) |
| |) |
| City of Lawrence and Gregory S. |) |
| Arvanitis, |) |
| Appellees |) |
| |) |

BOARD'S RULING ON APPEAL

Procedural History

This matter came before the State Building Code Appeals Board ("the Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, Appellant asks the Board to grant a variance from 780 CMR 1204.1 (ceiling heights) of the Massachusetts State Building Code ("MSBC") for 333 Lawrence Street, Lawrence, MA. In accordance with MGL c. 30A, §§ 10 and 11; MGL c. 143, §100; 801 CMR 1.02 et. Seq.; and 780 CMR 122.3.4, the Board convened a public hearing on November 21, 2006 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

Present and representing the Appellant was Salim R. Tabit, Esq. Present and representing the City of Lawrence Inspectional Services Department was local building inspector Gregory S. Arvanitis. There was no representative present from the City of Lawrence Fire Department.

Discussion

A motion was made to Grant the Appellant's request for a variance from 780 CMR 1204.1 (ceiling heights) of the MSBC based upon the following facts: the existing

¹ This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108.

basement ceiling height has been a long standing condition; the basement area has been used as a meat cutting room for years and the City of Lawrence has no objections to the premises maintaining the existing ceiling height. Motion carried 3-0.


Conclusion

The Appellant's request for variance from 780 CMR 1204.1 is **GRANTED**.

SO ORDERED.



HARRY SMITH



ALEXANDER MACLEOD



KEITH HOYLE

DATED: January 11, 2007

** In accordance with M.G.L. c. 30A § 14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.*